



Avrum Rosen &lt;arosen@ajrlawny.com&gt;

**Re: Bay Point/Brickchurch/Aberdeen - DIP Account**

1 message

**Avrum Rosen** <arosen@ajrlawny.com>

Thu, Sep 14, 2023 at 9:17 PM

Reply-To: arosen@ajrlawny.com

To: "Allerding, John" &lt;John.Allerding@thompsonhine.com&gt;

Cc: John Isbell &lt;john@jfi-law.com&gt;, "Kevin J. Nash" &lt;knash@gwfglaw.com&gt;, Camisha Simmons &lt;camisha@simmonslegal.solutions&gt;, Louise Blouin &lt;lt@ltbholding.com&gt;, Mathew Kabatoff &lt;mkabatoff@ltbholding.com&gt;, Nico Pizzo &lt;npizzo@ajrlawny.com&gt;

I understand your response. Are we reviewing the sale order tomorrow?  
Thank you.

Avrum J. Rosen, Esq.



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[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)  
[ajrlawny.com](http://ajrlawny.com)

On Thu, Sep 14, 2023 at 8:44 PM Allerding, John <[John.Allerding@thompsonhine.com](mailto:John.Allerding@thompsonhine.com)> wrote:

Avrum,

Your attempt to deflect from the serious misconduct of your client is troubling. The outright mischaracterizations and falsehoods in your email will get no further response from me. We reserve all rights.

John

**John C. Allerding | Thompson Hine LLP**

3900 Key Center | 127 Public Square | Cleveland, Ohio 44114  
**Atlanta:** 404.407.3676 | **Cleveland:** 216.566.5748 | **Mobile:** 216.402.9953  
**Fax:** 216.566.5800 | **Email:** [John.Alderding@ThompsonHine.com](mailto:John.Alderding@ThompsonHine.com)  
**Web:** <http://www.ThompsonHine.com>



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**From:** Avrum Rosen <[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)>  
**Sent:** Thursday, September 14, 2023 8:29 PM  
**To:** John Isbell <[john@jfi-law.com](mailto:john@jfi-law.com)>  
**Cc:** Alderding, John <[John.Alderding@thompsonhine.com](mailto:John.Alderding@thompsonhine.com)>; Kevin J. Nash <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>; Camisha Simmons <[camisha@simmonslegal.solutions](mailto:camisha@simmonslegal.solutions)>; Louise Blouin <[lt@ltbholding.com](mailto:lt@ltbholding.com)>; Mathew Kabatoff <[mkabatoff@ltbholding.com](mailto:mkabatoff@ltbholding.com)>; Nico Pizzo <[npizzo@ajrlawny.com](mailto:npizzo@ajrlawny.com)>  
**Subject:** Re: Bay Point/Brickchurch/Aberdeen - DIP Account

### **CAUTION EXTERNAL EMAIL**

I will not defend the bad taste of this, but I will point out a few things. Despite your insistence that she not be involved at all, and my instructions for her not to contact anyone on your side, as well as my direction to all of you to go through me, your client has been in constant contact with her. The text you attach appears to be part of an extensive chain between your client and her over showings. So it would appear that your client did not appear threatened and you all seized upon this to reverse your losses in court the other day. I understand they spent several hours today discussing a new broker and she was very pleased with Charles suggestion. John you also continued to copy her despite multiple emails from her directing you not to. It is clear you have been trying to goad her. If you were so concerned why were we not advised of the incident right away instead of sandbagged?. Instead John wasted my day by scheduling and rescheduling meetings with me. It will be interesting to see all of the communications between them today and on prior days to get a true picture of what was going on.

Thank you.

 martindale-hubbel-distinguished

 martindale-hubbel-preeminent

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[ajrlawny.com](http://ajrlawny.com)

On Thu, Sep 14, 2023 at 8:17 PM John Isbell <[john@jfi-law.com](mailto:john@jfi-law.com)> wrote:

Your client is making death threats. Please spare us the absolute ridiculous lecture.

Sent from my iPhone

On Sep 14, 2023, at 7:45 PM, Avrum Rosen <[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)> wrote:

John, the fact that you thought that motion was more important than conferring on an order to schedule the sale is evidence that none of these negotiations were in good faith. I moved my entire schedule around twice to accommodate you under what appear to be false pretenses, and on a professional level I do not appreciate it. I hope I am wrong and will make myself available anytime tomorrow.

On Thu, Sep 14, 2023, 6:41 PM Allerdig, John <[John.Allerdig@thompsonhine.com](mailto:John.Allerdig@thompsonhine.com)> wrote:

Avrum,

I was working on the plan today with the hope to address the bid procedures after that so that we could discuss all of that tonight. Because I had to divert my attention to address your client's physical threats against Mr. Andros, I did not get a chance to review the proposed bidding procedures. As such, we'll need to move our call to tomorrow morning/early afternoon. Please let me know your availability.

Thanks,

John

**John C. Allerding | Thompson Hine LLP**

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3900 Key Center | 127 Public Square | Cleveland, Ohio 44114

**Atlanta:** 404.407.3676 | **Cleveland:** 216.566.5748 | **Mobile:** 216.402.9953

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**From:** Avrum Rosen <[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)>

**Sent:** Thursday, September 14, 2023 2:29 PM

**To:** Allerding, John <[John.Allerding@thompsonhine.com](mailto:John.Allerding@thompsonhine.com)>

**Cc:** Kevin J. Nash <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>; John Isbell <[john@jfi-law.com](mailto:john@jfi-law.com)>; Camisha Simmons <[camisha@simmonslegal.solutions](mailto:camisha@simmonslegal.solutions)>; Louise Blouin <[lt@ltbholding.com](mailto:lt@ltbholding.com)>; Mathew Kabatoff <[mkabatoff@ltbholding.com](mailto:mkabatoff@ltbholding.com)>

**Subject:** Re: Bay Point/Brickchurch/Aberdeen - DIP Account

**CAUTION EXTERNAL EMAIL**

If I have to be. Yes. Call my cell.

Thank you.

Avrum J. Rosen, Esq.

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On Thu, Sep 14, 2023 at 2:09 PM Allerdig, John <[John.Allerdig@thompsonhine.com](mailto:John.Allerdig@thompsonhine.com)> wrote:

Avrum,

I haven't had a chance to make it through your proposed modified bid procedures yet and want to do so before our call. Are you available at 8:00 pm tonight?

Thanks,

John

**John C. Allerdig | Thompson Hine LLP**

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**From:** Avrum Rosen <[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)>

**Sent:** Wednesday, September 13, 2023 8:58 PM

**To:** Allerdig, John <[John.Allerdig@thompsonhine.com](mailto:John.Allerdig@thompsonhine.com)>

**Cc:** Kevin J. Nash <[knash@gwfglaw.com](mailto:knash@gwfglaw.com)>; John Isbell <[john@jfi-law.com](mailto:john@jfi-law.com)>; Camisha Simmons <[camisha@simmonslegal.solutions](mailto:camisha@simmonslegal.solutions)>; Louise Blouin <[lt@ltbholding.com](mailto:lt@ltbholding.com)>; Mathew Kabatoff <[mkabatoff@ltbholding.com](mailto:mkabatoff@ltbholding.com)>

**Subject:** Re: Bay Point/Brickchurch/Aberdeen - DIP Account

### CAUTION EXTERNAL EMAIL

Dear John:

Attached is a redline of the bid procedures that I believe incorporates all of the requested changes, the directions from the Court and cleans up some typos. If this is acceptable I will conform the Bid Procedures Order to this and circulate it. I included Bespoke as I anticipate your concerns being addressed. I hope to now move on to the other outstanding issues. My clients have not reviewed this and it remains subject to their approval.

Thank you.

Avrum J. Rosen, Esq.

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On Wed, Sep 13, 2023 at 5:03 PM Allerdig, John <[John.Allerdig@thompsonhine.com](mailto:John.Allerdig@thompsonhine.com)> wrote:

How about 3:00 pm?

John C. Allerdig | Thompson Hine LLP  
3560 Lenox Road NE | Suite 1600 | Atlanta, Georgia 30326  
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Atlanta: 404.407.3676 | Cleveland: 216.566.5748 | Mobile: 216.402.9953  
Fax: 216.566.5800 | Email: John.Allerdig@ThompsonHine.com <<mailto:John.Allerdig@ThompsonHine.com>>

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[cid:image002.png@01D9AF5B.7D842FC0] <<http://www.thompsonhine.com/>>

On Sep 13, 2023, at 4:37 PM, Avrum Rosen <[arosen@ajrlawny.com](mailto:arosen@ajrlawny.com)> wrote:

CAUTION EXTERNAL EMAIL

John, I am going to do a mark up of the 363 motion tonight and send it to you. I would like to go over it tomorrow on a call to clean it up rather than mere emails. I am also working on some ideas to resolve the plan issues which I hope to be able to address tomorrow as well. I have a hearing on a fee application by zoom at 11:30 and am otherwise free. let me know what works.

Thank you.

Avrum J. Rosen, Esq.

[martindale-hubbel-distinguished]

[martindale-hubbel-preeminent]

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On Wed, Sep 13, 2023 at 3:45 PM Allerdig, John <[John.Allerdig@thompsonhine.com](mailto:John.Allerdig@thompsonhine.com)> <<mailto:John.Allerdig@thompsonhine.com>>> wrote:

Good afternoon Kevin,

We received a funding request from Mathew and an indication that there was a DIP Account set up at Wells Fargo (\*\*\*\*\*4107). We need to confirm that Charles is a signatory with respect to this DIP account before we fund anything. I think there may be some issues with the expenses requested as well, but I'll let the business folks hammer those out.

Thanks,

John

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[cid:image001.png@01D9E658.57510BA0]

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[\[cid:image002.png@01D9E658.57510BA0\]<http://www.thompsonhine.com/>](#)

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**4 attachments**

